

Assembly Bill No. 1211

CHAPTER 314

An act to amend Sections 8592.1, 8592.2, 8592.3, and 8592.4 of the Government Code, relating to public safety.

[Approved by Governor September 4, 2003. Filed
with Secretary of State September 5, 2003.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1211, Nakano. Public safety: communication system.

Existing law gives the Public Safety Radio Strategic Planning Committee primary responsibility in state government for developing and implementing a statewide integrated public safety communication system for state government agencies that facilitates interoperability and other shared uses of public safety spectrum with local and federal agencies. Existing law provides that this committee consists of representatives of specified state agencies. Existing law also requires the committee to develop a standard memorandum of understanding that sets forth general terms for interoperability.

This bill would instead require the committee to develop a model memorandum of understanding for that purpose but would provide that a local agency may not be required to adopt the model memorandum of understanding.

The bill would make other conforming changes in the committee's duties.

The people of the State of California do enact as follows:

SECTION 1. It is the intent of the Legislature to build upon the work of the Public Safety Radio Strategic Planning Committee in its 1997 report, Partnering for the Future: A Strategic Plan for California's Radio Communications, and to encourage partnerships among local, state, and federal agencies to improve California's overall public safety radio capabilities.

SEC. 2. Section 8592.1 of the Government Code is amended to read:
8592.1. For purposes of this article, the following terms have the following meanings:

(a) "Public safety spectrum" means the spectrum allocated by the Federal Communications Commission for operation of interoperable and general use radio communication systems for public safety purposes within the state.

(b) “Committee” means the Public Safety Radio Strategic Planning Committee, which was established in December 1994 in recognition of the need to improve existing public radio systems and to develop interoperability among state public safety agencies, and which is comprised of representatives of the following state entities:

- (1) The Department of the California Highway Patrol.
- (2) The Department of Transportation.
- (3) The Department of Corrections.
- (4) The Department of Parks and Recreation.
- (5) The Department of Fish and Game.
- (6) The Department of Forestry and Fire Protection.
- (7) The Department of Justice.
- (8) The Department of Water Resources.
- (9) The Office of Emergency Services.
- (10) The Emergency Medical Services Authority.
- (11) The Department of the Youth Authority.
- (12) The Department of General Services.

SEC. 3. Section 8592.2 of the Government Code is amended to read:

8592.2. (a) The committee shall have primary responsibility in state government for developing and implementing a statewide integrated public safety communication system that facilitates interoperability among state agencies and coordinates other shared uses of the public safety spectrum consistent with decisions and regulations of the Federal Communications Commission. In order to facilitate effective use of the public safety spectrum, the committee shall consult with any regional planning committee or other federal, state, or local entity with responsibility for developing, operating, or monitoring interoperability of the public safety spectrum.

(b) The committee shall elect from among its members a chair with responsibility for leadership in implementing this article.

(c) The committee shall hold a meeting to address the requirements of this article no later than April 1, 2003.

SEC. 4. Section 8592.3 of the Government Code is amended to read:

8592.3. (a) The committee shall consult with the following organizations and entities:

- (1) California State Peace Officers Association.
- (2) California Police Chiefs Association.
- (3) California State Sheriffs’ Association.
- (4) California Professional Firefighters.
- (5) California Fire Chiefs Association.
- (6) California State Association of Counties.
- (7) League of California Cities.
- (8) California State Firefighters Association.



- (9) California Coalition of Law Enforcement Associations.
- (10) California Correctional Peace Officers Association.
- (11) CDF Firefighters.
- (12) California Union of Safety Employees.

(b) Each organization or entity listed in subdivision (a) may designate a representative to work with the committee to develop agreements for interoperability or other shared use of the public safety spectrum between the applicable organization or entity and local and federal agencies that operate a communication system on the public safety spectrum and that have capacity and technical ability for interoperability or other shared use.

(c) The committee shall develop a model memorandum of understanding that sets forth general terms for interoperability or other shared uses among jurisdictions, which may be modified as necessary for a particular agreement entered into pursuant to subdivision (b).

(d) A local agency may not be required to adopt the model memorandum of understanding developed pursuant to subdivision (c).

SEC. 5. Section 8592.4 of the Government Code is amended to read:

8592.4. (a) The committee shall determine which agencies need new or upgraded communication equipment and shall establish a program for equipment purchase. In establishing this program, the board shall recommend the purchase of, equipment that will enable state agencies to commence conforming to accepted industry standards for interoperability consistent with the public safety digital communications standards of the American National Standards Institute and the Telecommunications Information Association.

(b) This section may not be construed to mandate that a state or local governmental agency affected thereby is required to compromise its immediate mission or ability to function and carry out its existing responsibilities.

